MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2022/2023 (TERM ID 2210)

UIL2712 - ISLAMIC LAW I

(All Sections / Groups)

17 FEBRUARY 2023
Reading Time: 9.00 a.m. – 9.15 a.m.
(15 Minutes)
Answering Time: 9.15 a.m. – 12.15 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 Questions only.

3. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are only allowed to bring in CLEAN AND ORIGINAL COPY of the following statutes into the exam venue :
   i. Al Quran (English Translation)
   "Clean" is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited.

5. Please write all your answers in the Answer Booklet provided.

PART A (ANSWER BOTH QUESTIONS)

QUESTION 1

The ulama agree that the solitary (Ahad) Hadith must fulfill certain conditions in order to constitute a valid proof. Describe the conditions of solitary hadith with relevant authorities.

(Total: 25 marks)

QUESTION 2

Explain the meaning and definition of Ijma'. Discuss the various elements in its definition which have given rise to controversy among the ulama. Support your argument with relevant authorities.

(Total: 25 marks)

PART B (ANSWER TWO (2) QUESTIONS ONLY)

QUESTION 3

i) After the demise of the Prophet, the Companions were the ones who interpreted the law and developed it where needed. There are conflicts among jurists as to whether the saying or fatwa of a single companion should also be recognized as a proof. Apply the opinions of jurists who agree and oppose the Fatwa of Companion as a source of Islamic law.

(15 marks)

ii) Malik was a successful businessman with 20 years' experience as a housing developer. Despite that, he owned a poultry in Perlis amounted to RM700,000.00 and several rental shop premises worth to RM27,000,000.00. Unfortunately, Malik has an untimely passed away due to heart attack. He did not leave behind a will, but he was survived by a son, Mikail, 27 years old, a daughter, Mikayla, 25 years old, a wife, Malika, Malik's parents, Umi and Ayah, and Malik's grandparents, Tok Umi and Tok Ayah. However, the grandparents did not receive anything from Malik's property upon receiving inheritance order from Syariah Court. Tok Umi, the grandmother did not agree to the Syariah Court's order, and she planned to file an appeal against that order. She contended that she should receive a portion from her grandchild's property since Malik is her only grandchild. Assess portion and condition for Tok Umi to receive portion of the property under inheritance law according to Fatwa Sahabi.

(10 marks)
(Total: 25 marks)

Continued...

QUESTION 4

With reference to Qiyas, solve the following situations by determining the appropriate syarie ruling: -

i) Last night, Halim attended his office dinner event. Later, he found a jewellery on the floor during the event, not knowing to whom it belongs. He afterwards discovered that it belongs to Halimah, his office colleague. He intended to return the jewellery, but later that day he decided not to return it and appropriated it for his own use.

(12.5 marks)

ii) Jabir is the only child for Mr Jibril. Mr. Jibril's wife, Mrs. Jabilah died 4 years ago due to brain cancer. When Jabir completed his study in California, he refused to return to Malaysia to work with his father as he wanted to gain working experience overseas. Jabir get married with Jaslina in California. Jabir then came back to Malaysia after five years of working in California when he was informed that his father had a heart attack and was hospitalised. Jabir visited his father and had a heated argument with him. Mr Jibril called him as an insolent child because of his rejection to work with him. His father said that he inteded to drop Jabir's name from his Will and that he would not get any cents from him in the event of his death. Jabir was worried and angry upon hearing it. He decided to hire a professional killer to kill his father before his father could revoke his name from the Will. His father was found dead after he was poisoned. Jabir was arrested later by the police.

(12.5 marks)
(Total: 25 marks)

QUESTION 5

In a hadith of Prophet Muhammad (PBUH): "*La darara wa la dirara fil Islam*" (No harm shall be inflicted or tolerated in Islam) has been quoted in support of Istihsan.

Based on the above, solve the issues based on the principle of Istihsan:

i) Arguments for and against the acceptance by the Muslim jurists as a source of law,

(12 marks)

ii) Assess on its types, examples, and applications.

(13 marks)

(Total: 25 marks)

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